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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No.: CR 14 0196 CRB
)	
v.)	UNITED STATES' SUPPLEMENTAL
)	SUBMISSION REGARDING EVIDENCE OF
KWOK CHEUNG CHOW, et al.)	SOLICITATION TO COMMIT MURDERS BY
)	DEFENDANT CHOW
Defendants.)	

Court: Honorable Charles R. Breyer

I. INTRODUCTION

The Court has requested further information regarding the evidence that defendant Chow solicited the murder of Allen Leung during 2005 and 2006 and the evidence that defendant Chow solicited and encouraged the murder of Jim Tat Kong between 2011 and 2013. Both individuals were murdered with firearms by shooters who are currently unidentified. Both murders remain under investigation, but the government is prepared to proceed with charges linking CHOW to soliciting both murders.

II. DESCRIPTION OF EVIDENCE

Allen Leung

Allen Leung was murdered in his import/export shop in San Francisco Chinatown on February 27, 2006. In early 2006, Leung held two prominent positions in the Tongs at issue in this case. Leung was a prominent member of the Hop Sing Tong and the Dragonhead of the Chee Kung Tong.. CHOW was a member of both organizations. The Tongs controlled money through ownership of property, including a restaurant in San Francisco, the Golden Dragon. Additionally, the Tongs had resolved a dispute with the Chinese government regarding the seizure of a building during the 1920s, and had been awarded \$1,000,000.00 from the Chinese government. According to a statement by Leung to the FBI in 2003 and reiterated by Leung to the FBI in 2005, CHOW made threats to Leung if Leung did not share money generated through Tong revenues with CHOW. In addition, Leung also told other individuals that CHOW and other individuals, including a known underling of CHOW in the Hop Sing Tong, referred to in this filing as Individual A, wanted money from Leung. Leung informed certain people that if he was murdered the responsible people were CHOW, Individual A, and two prominent members of the Hop Sing Tong in another United States city.¹ Other witnesses – including cooperator Kongphet Chanthavong and others – will also testify that CHOW was upset with Leung because he thought that

¹ Those individuals are known to the government, known to have contacts with CHOW at the relevant time period, and they attended CHOW's induction as the Dragonhead after Leung was murdered.

1 Leung should pay CHOW money for his past deeds on behalf of the Tongs. Leung refused to pay
2 CHOW.

3 Defendant Chanthavong met defendants CHOW and Li and befriended them while they were
4 incarcerated in the federal facility at Dublin. After release from prison in the early 2000s, defendant
5 Chanthavong retained loyalty to CHOW. When CHOW was released from prison, defendant
6 Chanthavong served as CHOW's driver and personal security for a period of time. Defendant
7 Chanthavong became a Hop Sing Tong member, inducted into the Tong by CHOW's invitation and with
8 defendant Li supporting the induction. Chanthavong considered himself to be under defendant Li, who
9 was under defendant CHOW in the structure of the enterprise. This was prior to CHOW taking the
10 position of Dragonhead of the CKT, but while CHOW was a member of the Hop Sing Tong and the
11 CKT.
12

13 Defendant Chanthavong will testify that about a month or so before the murder of Leung –
14 meaning in late 2005 or early 2006 – he drove CHOW to a particular bar in Oakland. According to
15 Chanthavong, CHOW spent time during the drive complaining that Leung would not loan CHOW
16 money from the Tong and that CHOW wanted to replace Leung with Individual A so that CHOW could
17 control Individual A, like a puppet master. At the Oakland bar, Chanthavong and CHOW met with two
18 other individuals. One was Individual A, the other will be referred to as Individual B, at that time a
19 prominent member of the Hop Sing Tong, and a follower or associate of Individual A and CHOW.²
20

21 According to Chanthavong, all four men – Chanthavong, CHOW, Individual A and Individual B
22 – met outside of the bar and CHOW told the group that he wanted them to take care of a person. At the
23 time, CHOW did not directly say the name of the intended victim. Subsequent conversations confirmed
24 that it was Leung that CHOW wanted killed. CHOW walked slightly away from the other three men to
25

26
27 ² Individual B is currently serving a lengthy prison sentence. During the instant investigation,
28 Individual B was confirmed to be a close associate of CHOW and other defendants in this case through
recordings. According to recordings collected during the investigation, Individual B was also
considered by some of the defendants to be a potential hit man for eliminating Jim Tat Kong.

1 allow them to talk without him. It was determined that Individual A would be responsible for finding a
2 shooter and Individual A wanted defendant Chanthavong to steal a car for use in the hit. Chanthavong
3 told Individual A that he wasn't a car thief. Although Chanthavong had a federal conviction for
4 exporting stolen cars, according to him, he didn't actually know how to steal the cars but was involved
5 with the exporting of the cars after they were stolen. Individual A then walked over to CHOW, possibly
6 to complain about Chanthavong's refusal to steal cars. Defendant CHOW rejoined the group and
7 reiterated to Chanthavong and Individual B that they needed to coordinate with and support Individual
8 A. CHOW walked away.
9

10 For his role in the murder, defendant Chanthavong agreed to perform surveillance on the location
11 of Leung's business, an import/export business in San Francisco Chinatown on Jackson Street, to
12 monitor when Leung was at work or not and the best times for the store to be empty of customers.
13 Individual B agreed to bring people to serve as lookouts and to create a disturbance or block traffic
14 during the murder. All three participants in the planning agreed to commit the murder on a day when it
15 was raining, to allow the shooter an excuse for covering his head and to reduce visibility.
16

17 Chanthavong spent the next several weeks doing surveillance on the business and reporting the
18 information – when Leung was in the store, who else worked in the store, when there seemed to be
19 customers or others in the store, etc. – to Individual B. Individual B was in touch with Chanthavong to
20 report when he had surveillance done so that they did not duplicate efforts.
21

22 Approximately a day or two prior to the Leung murder, Chanthavong received a call from
23 Individual B. Individual B asked Chanthavong to go to a particular hotel because the murder was going
24 to occur soon. According to Chanthavong, he drove to that location. At the hotel, Individual B was
25 present in a hotel room with several young men who Chanthavong believed were followers of Individual
26 B. The people in the hotel room began discussing plans about the murder of Leung. Chanthavong got
27 cold feet and told the people in the hotel room that they had enough people already, and Chanthavong
28

1 left the hotel. Within two days, Chanthavong read in the newspapers that Leung had been murdered.
2 Chanthavong does not know who was selected as the actual shooter. Chanthavong does not fit the
3 description of the shooter and can be eliminated as the shooter.

4 Individual C was a Hop Sing Tong member. He is currently serving a lengthy prison term for
5 killing a gang rival. Individual C was loyal to the Hop Sing Tong, to Individual A, and to CHOW until
6 he was convicted and sent to prison. Individual C felt that CHOW and Individual A did not do enough
7 to help Individual C with his legal problems so he began providing information to a Sheriff's Deputy.
8 Eventually Individual C offered to testify about the Leung murder and other murders he committed
9 following the orders of Individual A, working for CHOW.³
10

11 Individual C will testify that he followed Individual A. Individual C knew that Individual A
12 followed CHOW and that CHOW was the Dai Lo, or "Big Brother." Among other crimes, Individual A
13 and CHOW developed a "black list" of individuals that they wanted killed. Individual A would contact
14 Individual C and Individual A would arrange to meet Individual C. During these meetings, Individual A
15 would deliver names of people on the black list to Individual C. Sometimes they would call Individual
16 C on the phone instead of meeting in person. Individual C actually killed two people at the direction of
17 Individual A and CHOW, according to Individual C. One was the individual that Individual C is
18 currently serving time for killing. The other was an individual believed to be with a rival group to the
19 Hop Sing gang. Individual C admitted to committing that murder at a time when he was not a suspect,
20 there were no suspects, and it was an old cold case with no leads.
21
22

23 Individual C claims that he did not kill Leung. Individual C was solicited to kill other people on
24 the black list, but either did not get around to doing the murders, decided not to do the murders, or the
25 person died without Individual C needing to take action. During his proffer sessions, as noted above,
26 Individual C admitted to killing a man at the direction of Individual A. That murder was a cold case
27

28 ³ Individual C is expected to testify, but currently has not entered into a formal plea agreement.
Therefore, his identity is not being revealed.

1 with no leads and no indication that Individual C was involved until his admissions to the government
2 during a proffer session. Individual C related details that corroborate that he had detailed knowledge of
3 that murder.

4 With respect to the Leung murder, Individual C will testify that he was working near the location
5 of the homicide in February of 2006. Approximately mid-December of 2005, Individual A contacted
6 Individual C and asked Individual C if he would commit another murder. According to Individual C, by
7 this point he had already murdered the individual in the restaurant for Individual A, so he could be relied
8 upon for this type of work. Individual C agreed to do the murder at that time, but did not yet know who
9 the intended target would be. Sometime in early 2006, Individual A told Individual C who the target of
10 the murder was – a high level Hop Sing Tong member – and where the murder would occur. Individual
11 C stated that when he heard where it would occur, in Leung's store, which was near Individual C's job,
12 he declined to do the murder. Individual C is expected to testify that he was not troubled by committing
13 the murder, but only that it was too close to his job.
14
15

16 According to Individual C, approximately a day or two prior to the murder of Leung, an
17 associate was tasked to pick up a man traveling from out of town. Individual C only knew the individual
18 by a moniker. This person will be identified as Individual D.⁴ Individual C stated that Individual D was
19 brought to meet with Individual C, Individual A, and another high level Hop Sing Tong member we will
20 refer to as Individual E.⁵ Following that meeting, Individual C drove Individual D, Individual E, and
21 Individual C's friend to the home of CHOW. There, Individual C and his associate waited in the living
22 room while Individuals D and E met behind closed doors with Individual A and CHOW. Individual C
23 does not know what they discussed. Following that meeting, they left.
24
25

26 ⁴ The government believes that it has identified this individual, Individual D, and can show
27 telephonic contact between this individual and CHOW from telephone records.

28 ⁵ Individual E is reported by several Hop Sing Tong members to be a high level member of the
organization who was loyal to CHOW. Individual E has not been fully identified at this point.

1 On February 27, 2006, Individual C was asked by Individual E to drive Individuals D and E into
2 San Francisco. When they got off of the Bay Bridge and headed towards Chinatown, Individual C
3 stated he realized what they were there to do and that Individual C would be the getaway driver. After
4 some time in Chinatown, Individual C pulled the vehicle he was driving approximately a block from
5 Leung's store and waited in the car. According to Individual C, Individuals D and E got out of the
6 vehicle and walked to the front of Leung's store. From where Individual C was seated, he could not see
7 who went inside the door to the store. After a period of time, Individual C stated that the two men came
8 back to the car and he drove away. While driving, they broke down two guns into pieces and then threw
9 the pieces over the Bay Bridge into the San Francisco Bay on the way back to Oakland.
10

11 It should be noted that Individual C has told various different iterations of how the Allen Leung
12 murder occurred. While he has always admitted that he was there and that he assisted by driving the
13 getaway car, he originally stated to Sheriff's Deputies that there were four total people in the car, not
14 three. Upon being interviewed by San Francisco Gang Task Force, Individual C claimed that it was
15 only himself and Individual A, and that when he refused to shoot Leung, Individual A wandered into an
16 alleyway and then eventually came back to the car with a gun. Subsequently, with counsel and pursuant
17 to proffer, Individual C stated that Individual A actually went into Leung's shop. This version the
18 government knows is false because Individual A can be eliminated as the shooter.⁶
19

20 The government is filing additional information under seal regarding the murder of Mr. Leung in
21 order to preserve the investigation and not disclose facts that would be known by the participants and
22 witnesses only.
23

24 This evidence demonstrates that (1) CHOW solicited the murder of Leung, (2) the individuals
25 solicited by CHOW to arrange the murder of Leung were, in fact, responsible for the murder of Leung
26

27 ⁶ While telling the story involving Individual A going into Leung's store alone, Individual C
28 was polygraphed at his request. He was asked one question: did you shoot Alan Leung? Individual C
stated "no," but exhibited deception. Whether that deception was because Individual C was still telling
an overall false version or because he in fact shot Leung is not clear. A witness to the shooting was
shown a photographic lineup including Individual C and he/she did not identify Individual C, however.

1 regardless of the identity of the actual shooter, and (3) the murder of Leung was a reasonable and
2 foreseeable result of the RICO Conspiracy that CHOW and other defendants engaged in. While the
3 investigation continues regarding all of the responsible parties, CHOW's liability for the murder of
4 Leung is clearly a significant aspect to the RICO Conspiracy charged in Count One of the current
5 Second Superseding Indictment. As detailed in the government's prior submission, the solicitation to
6 commit the murder of Leung explains CHOW's rise to power in the Chee Kung Tong and authority in
7 the Hop Sing Tong. Furthermore, it is squarely encompassed within the charges described in Count
8 One. *See* Second Superseding Indictment, Count One ¶¶8a and 8b; ¶¶ 9a and 9b; *see also*, United
9 States' Bill of Particulars as to Count One RICO Conspiracy.
10

11 **Jim Tat Kong**

12 Jim Tat Kong was a long time Asian organized crime figure in San Francisco Chinatown and in
13 Los Angeles who was a member of the Hop Sing Tong and had long-standing ties to CHOW and others
14 affiliated with CHOW. During 2007 and 2008, Kong was the focus of an investigation by the
15 government for dealing in ecstasy and other drugs in the Bay Area and in Los Angeles. Although he
16 was the subject of government investigations, he managed to evade arrest and prosecution.
17

18 At least by November of 2011, CHOW and Kong had a falling out. CHOW alleged that Kong
19 had a sexual relationship with another "brother's" wife, and that Kong was trying to intimidate people to
20 take over the Hop Sing Tong. On November 16, 2011, Kong and CHOW had a stand-off and argument
21 at the Hop Sing Tong building in Chinatown. The evidence of the stand-off comes from statements by
22 CHOW and other defendants to UCE 4599 on recordings. For example, on November 17, 2011, CHOW
23 discussed the argument he had with Kong with UCE 4599. The argument will be corroborated by
24 observations of members of the San Francisco Gang Task Force who responded to reports that there
25 might be a conflict at the Tong and were present to make sure that it did not escalate into violence.
26 Several of CHOW's people – including at least defendants Chanthavong and Nieh – were armed with
27
28

firearms and waited directly outside of the Hop Sing Tong building, hiding their firearms in the bathroom of a restaurant when they saw that Gang Task Force was on the scene. According to CHOW and his associates, Kong wore a bullet proof vest and his men were also armed during the argument.

Following the argument, CHOW discussed in numerous recorded conversations with undercover agents that he had kicked Kong out of the Hop Sing Tong and that he had made it known that Kong was no longer his brother. CHOW told undercover agents that the effect of CHOW's conduct was that Kong would no longer be protected by CHOW's name and by the name of the Tong and so Kong was fair game for rivals to kill. According to CHOW, he would not need to do anything and Kong would be murdered because CHOW had removed protection from Kong.

Examples of the discussions from the recordings include the following:

On November 17, 2011, CHOW told UCE 4599 that he was having problems at the Hop Sing Tong. According to CHOW, Jim [later identified as Jim Tat Kong] was disrespecting CHOW by using his name and intimidating the elder members of the HST. CHOW said Kong was responsible for trying to put a hit on CHOW approximately five years earlier. During a recent meeting, CHOW publicly ousted Kong in front of the HST by declaring Kong was no longer CHOW's brother. CHOW explained that he wouldn't have to do anything to harm Kong. If someone had any conflict with Kong they did not need to ask CHOW's permission to harm Kong. CHOW did not need to know. All CHOW had to do was put that word on the street. CHOW explained he doesn't need to tell people to fuck Kong up. When CHOW put the word on the street that CHOW was no longer "supporting this fool" and Kong was no longer considered CHOW's brother, someone would "move on" Kong.⁷

RAYMOND CHOW: But those, when those people, you know when they put out like that, you know, you know what? You did it again, you know what? I'm going to, in the whole shit, I'm going bananas,

UCE-4599: Oh yeah.

RAYMOND CHOW: you know what? I don't have to do anything to [INDISCERNIBLE 02:19:01]

⁷ The government will provide any and all recordings that the Court wants to verify the conversations related in this submission.

1 **UCE-4599:** No, no, no, no you don't, but all you could do, is you could tap a few shoulders and things would get taken care of business, man. You know.

2 **RAYMOND CHOW:** You know what, all-you know what? Th-this guy, this what he do, this is what he did, you know, he no longer my brother. When you have any conflict you do not have to ask my permission,

3 **UCE-4599:** That's a str-, yep.

4 **RAYMOND CHOW:** I do not need to know.

5 **UCE-4599:** Yep.

6 **RAYMOND CHOW:** Do what you got to do.

7 **UCE-4599:** Yep.

8 **RAYMOND CHOW:** This-All I had to do-

9 **UCE-4599:** No.

10 **RAYMOND CHOW:** is put it on the street.

11 **UCE-4599:** That's just-

12 **RAYMOND CHOW:** I don't even, I don't-I don't even need to, ya know, tell people to fuck him up.

13 **UCE-4599:** No. It'll come in time.

14 **RAYMOND CHOW:** You know what,

15 **UCE-4599:** He'll get his.

16 **RAYMOND CHOW:** When he in the business on the street, they always got conflict of interest. Some of the people have conflict of interest really,

17 **UCE-4599:** Right.

18 **RAYMOND CHOW:** When I put that out there and people knowing I am not supporting this fool,

19 **UCE-4599:** Right, he'll get his.

20 **RAYMOND CHOW:** You know, and I- he no longer my brother,

21 **UCE-4599:** Yep.

22 **RAYMOND CHOW:** you know what?

23 **UCE-4599:** Yep.

24 **RAYMOND CHOW:** You know what? People will move on him.

25 **UCE-4599:** Of course. No, they should.

26 **RAYMOND CHOW:** I-I don't even have to get involved with him.

27 **UCE-4599:** No, they should. Yeah, you don't have to, right? Y-y-you don't have to. You don't have to because your-your reputation speaks for itself.

28 **[02:20:00]**

And your word is, you know-

RAYMOND CHOW: Very bad, dude.

UCE-4599: Hey, listen, alright listen brother. It is what it is, you know? It is what it is. It's, it's you know, it's no different in my family than it would be in your family, you know?

RAYMOND CHOW: Listen, when I speak about them, all-all, they all of them, th-they have at least like-uh 25 to 30 boys. I only got about one, two, three-yeah-people looking out for me.

UCE-4599: You got some bad mother fuckers, though. Let me tell you something. You got some bad mother fuckers looking out for you.

RAYMOND CHOW: You know what? When you get down to business, you know, it's not about, you know

UCE-4599: Not numbers

RAYMOND CHOW: -how good you fight

UCE-4599: No.

RAYMOND CHOW: It's what is in your heart,

CHOW told undercover agents that when Kong showed up at the HST meeting he was wearing a bullet proof vest and his associates were carrying guns. Defendant Nieh explained to undercover agents

1 that he had to put his gun ("girlfriend") in the bathroom because there were a lot of police officers in the
2 area:

3 **RAYMOND CHOW:** You know what? Those-this guy, Jim, come up there, he got a bullet
4 proof vest, [NOISE]he got, he-he even-even when they come, they were packing the pistol, you
5 know. All that stuff, you know. We just walked in, you know, jus-just going up to it like that.
6 You know?

7 **UCE-4599:** What a dick! What a dick, of course you walked up there, because you are who you
8 are, man, you know, he ain't going to fucking front. Bullet proof vest! [LAUGHTER]

9 **RAYMOND CHOW:** If you sit at this end, just like me and you

10 **GEORGE NIEH:** We got to pick up the girlfriend and bathroom, too, because uh there are a lot
11 fuckin undercover, there's a lot of un-undercover around here.

12 **UCE-4599:** Right.

13 **RAYMOND CHOW:** Oh, they got a lot of people up there.

14 **GEORGE NIEH:** Yeah

15 **RAYMOND CHOW:** Pretty big boy.

16 **GEORGE NIEH:** There's a whole bunch of undercover down there.

17 **UCE-4599:** Oh, really?

18 **GEORGE NIEH:** whole Task Force, yeah.

19 CHOW described Kong's conflicts of interest on the street because he sells dope or ecstasy.

20 Now, CHOW explained, everyone will know that CHOW no longer supports Kong and people will not
21 be afraid of Kong and will try to "fuck him up."

22 **GEORGE NIEH:** I think Jimmy is too lonely. He ain't got nobody around him. He's very
23 lonely guy.

24 **UCE-4599:** Why d- why doesn't somebody take care of this guy?

25 **RAYMOND CHOW:** Think about the people like that, who-who-w-who aren't around him?

26 **UCE-4599:** I tell-

27 **GEORGE NIEH:** He got nobody around him. That's-that's what I'm saying.

28 **UCE-4599:** I got to tell you something. It's painfully obvious to me, and maybe I'm wrong and
maybe it, but somebody's going to take care of that cat. Somebody's going to take care of that
cat. And I'm not saying anything at this table,

RAYMOND CHOW: You know what?

UCE-4599: but somebody's going to take care of that guy

RAYMOND CHOW: I do not need you to take care of this.

UCE-4599: No, you don't need to. You don't need to. Yep, you don't need to.

RAYMOND CHOW: That's why I toe the line with him. This guy no longer my brother
associated with me. Straight talk.

UCE-4599: Right.

RAYMOND CHOW: And he always tell people, you know, he talked to me. You know, I
mean, he got a grievance with me.

UCE-4599: Yep.

RAYMOND CHOW: You know what?

UCE-4599: Yep, yep, no, b-but the bottom line is somebody's got to take care of that cat.

GEORGE NIEH: Ray is full of shit.

UCE-4599: Do you agree or no?

GEORGE NIEH: Yes.

UCE-4599: Right, I mean cause-

GEORGE NIEH: I th-I th-I think if he died,

RAYMOND CHOW: [OV]You know wh-, You know what I know,

1 **GEORGE NIEH:** I think he would pick up

UCE-4599: Yeah.

2 **RAYMOND CHOW:** If I died of, like a not natural cause, a lot of people would take my revenge.

3 **UCE-4599:** If, say that again. If you-if you,

RAYMOND CHOW: If I not die a natural cause.

4 **UCE-4599:** If somebody fucking took you out, in other words. Yeah.

RAYMOND CHOW: If somebody took me out,

5 **UCE-4599:** Right.

RAYMOND CHOW: you know, all-a-all the people know me and, and, an-

6 **UCE-4599:** Somebody's going to take revenge.

RAYMOND CHOW: You know, I don't need to tell people what to do.

7 **UCE-4599:** No, no, no. No, that's going to ha-that's going to happen on its own.

[02:45:00]

8 **RAYMOND CHOW:** Oh, even if your boy come to meeting, you know,

UCE-4599: Yeah.

9 **RAYMOND CHOW:** If h- he opened up the-the uh election, the vote, you know, they going to get off on him.

10 **UCE-4599:** Right

RAYMOND CHOW: They going to get off on him, you know, whatever.

11 **UCE-4599:** Right. Yeah, yeah.

RAYMOND CHOW: I hold my ground, though.

12 **UCE-4599:** Yup.

RAYMOND CHOW: Try to see who can come-come close. There's only like, you know one, two-

13 **GEORGE NIEH:** Yeah.

14 **RAYMOND CHOW:** -in the meeting. Only two people speak up.

UCE-4599: Right.

15 **RAYMOND CHOW:** But after the meeting, you know, w-w-when they, when they, they just totally surprised, you know.

16 **UCE-4599:** Yeah.

RAYMOND CHOW: Yeah, they totally surprised on him.

17 **UCE-4599:** Well, like I said, you know, it-uh I mean just in my, the way things work in my family, somebody would take care of that kid. Y-you know, something's going to happen.

18 **RAYMOND CHOW:** You know what? I'm not on that business, though. I don't know con-

19 **UCE-4599:** No, you know what listen, I'm not saying you do or not, but som-something's going to happen to that guy. Do you agree, George?

GEORGE NIEH: Yeah.

20 **RAYMOND CHOW:** You know what? He have conflict of interest, you know in the street.

UCE-4599: Right, and so

21 **RAYMOND CHOW:** Selling dope, ecstasy, you know,

UCE-4599: Right.

22 **RAYMOND CHOW:** and some dope and all that bullshit, you know.

GEORGE NIEH: I think the cops going to kick him.

23 **UCE-4599:** Could be.

24 **RAYMOND CHOW:** It's just, you know, when the people, he always use my name to brag, you know brag about, in front of other people, you know oh, he's-he's

UCE-4599: Yeah

25 **RAYMOND CHOW:** you know, he's my partner, he's my-

UCE-4599: Yeah.

26 **RAYMOND CHOW:** You know,

UCE-4599: Yeah

27 **RAYMOND CHOW:** with me,

UCE-4599: Yeah

28 **RAYMOND CHOW:** and all that. That's why people doesn't want to fuck with him.

UCE-4599: That's right.

1 **RAYMOND CHOW:** Because of my name.

UCE-4599: Because of your name.

2 **RAYMOND CHOW:** But when I pronounce him like that,

UCE-4599: Right.

3 **RAYMOND CHOW:** you know, to kind of straight, cut him out like that,

UCE-4599: Now they know, you know.

4 **RAYMOND CHOW:** Everybody-

UCE-4599: They know not to be afraid of him.

5 **RAYMOND CHOW:** Yeah. Exactly. When they not afraid of him, then they going to fuck him up.

6 **UCE-4599:** Mmmm, try that.

GEORGE NIEH: They don't give bullshit no more.

7 **RAYMOND CHOW:** Exactly. He cannot use my name bullshit nobody.

UCE-4599: Because it's on record now that you said, you're no longer my brother.

8 **GEORGE NIEH:** Everybody heard it.

UCE-4599: Raymond, if you say that to me, I am going to run so goddamn far away.

9 **RAYMOND CHOW:** No.

UCE-4599: I'm just saying. [LAUGHTER]

10 **RAYMOND CHOW:** I mean, when you, I mean when you ...you know what? When I say something like that to the people, this man, he so low, he got no human quality,

11 **UCE-4599:** Right.

RAYMOND CHOW: You know? Only, only time, you know, he's so fucking scared

12
13 Subsequently, CHOW confirmed that a "green light" was effectively placed on Kong by
14 CHOW's actions. Green light is a common term for a hit or an indication that an individual could be
15 taken out.

16 **RAYMOND CHOW:** When I toe the line with him like that,

UCE-4599: He's gonna get his.

17 **RAYMOND CHOW:** Up there, the people, when they know that, I tell you, people do not have the same respect with him.

18 **UCE-4599:** Somebody's going to make a move on that guy.

GEORGE NIEH: No, I mean, of course, he's gonna still, still going to talk shit.

19 **UCE-4599:** Som-, nah.

20 **GEORGE NIEH:** Always fucking brag-[INDISCERNIBLE 02:58:27] people are going to look at him like, are you out of your fucking mind? You want to do some shit? [INDISCERNIBLE 02:58:31] what you talk shit for? T-that's why, that's why you should confront with him.

21 **UCE-4599:** Somebody's going to make a move on this guy.

RAYMOND CHOW: Somebody not, even not make a move on him.

22 **GEORGE NIEH:** Because that guy will talk behind your back.

23 **RAYMOND CHOW:** I don't-I don-I don't think anybody going to make a move on him. But when he try to acting, you know, like he on top the game and do the bullshit like that, people, when they, when they, when they know about w-w-w-w-what I said in the meeting, in the public, I tell you, he going to have a hell of a lot of, hell-

24 **UCE-4599:** But that's the thing, bro. Because he-he fucking, you know, he had some bad business decisions that he made where, you know, he had conflict of interest, and somebody's going to say, you know what? I'm not afraid of you anymore. Fuck you, mother-fucker.

25 **RAYMOND CHOW:** Exactly.

26 **UCE-4599:** A-and somebody's going, you know, and in so many ways, you put the green light on him.

27 **RAYMOND CHOW:** See, the thing, the thing, the thing-

28 **UCE-4599:** But that's the thing, Raymond, though, you know that, right? Like, what you said, somebody put the green-

1 **RAYMOND CHOW:** I-I have nothing to do with it. Somebody

2 **UCE-4599:** [OV]I know you don't. I know you don't

3 **RAYMOND CHOW:** [OV] Somebody, you know-

4 **UCE-4599:** But the very fact

5 **RAYMOND CHOW:** Yeah.

6 **UCE-4599:** But the very fact that the Dai Lo said fuck you, you're not a part of me anymore, somebody's going to be so fed up with his bullshit,

7 **RAYMOND CHOW:** Exactly.

8 **UCE-4599:** Somebody's going to smoke him.

9 **GEORGE NIEH:** And the youngsters.

10 **UCE-4599:** Hey, that happens, yeah.

11 **GEORGE NIEH:** [OV]That's right, that's right. It affect Thomas[PH], and you fucking the other boys.

12 **RAYMOND CHOW:** When I pronounce him, he not no longer my brother. The next day one of his boy, and called me up, hey, you know what, uh, Dai Lo? You know I always on-on your corner. He-he not my Dai Lo, you know, you know what, he never been my Dai Lo.

13 On December 13, 2011, Nieh described that CHOW was having problems at the HST with Kong.

14 Nieh explained a potential way to deal with the problem at the HST is to "drop" him.

15 On January 25, 2012, CHOW talked about his problems with UCE 4599. UCE 4599 said something could happen to Kong during the next 10-15 years. CHOW stated he did not think Kong would last that long. CHOW said that a lot of his people don't want CHOW involved with Kong but that CHOW couldn't stand in the way of his people if they wanted to do something to Kong. CHOW said the worst part was that Kong got law enforcement involved with the confrontation between them. CHOW stated that [co-defendant] Michael Mei was loyal and wanted to do something, but that CHOW said no.

16 **Raymond Chow:** If me, myself, right by...[Noise] one day I die, I know. If I have no reason that people to kill me—on the street justice, will be fine I'm sure.

17 **UCE-4599:** Oh yeah.

18 **Raymond Chow:** I'd be certain.

19 **UCE-4599:** I am, listen--

20 **Raymond Chow:** I wouldn't worry about it--

21 **UCE-4599:** You...no listen. You told me, and I-and I believe this, if there's anything that's ever happened to you—or anything that ever happened to you, there will people would be lined up, to take their vengeance.

22 **Raymond Chow:** You know what? I-I just know—I just know--

23 **UCE-4599:** It's just-It's just the way you lived your life. It's the [OV] [Noise] way you...It's principles, right?

24 **Raymond Chow:** [OV] Yeah.

25 **Raymond Chow:** [Laughs.]

26 **UCE-4599:** No, but uh...You've never strayed away from your principles, right?

27 **Raymond Chow:** No.

1 **UCE-4599:** I mean you—you've always preached that. You know [Noise], you've always
preached that. I [OV] believe that wholeheartedly.

2 **Raymond Chow:** [OV] You don't have principles, you don't have no life.

3 **UCE-4599:** No.

4 **UCE-4599:** Mmm hmm. No, I understand that, you know. But at the same time, look
[INDECERNABLE 01:48:13]—

5 **Raymond Chow:** That's why I'm--

6 **UCE-4599:** Listen, I'm—I'm just gonna say this. I know that there are people that are
incredibly loyal to you. That who love you, and who see— things happening around you by
certain people that are, in their minds, unforgivable to them, because it's the ultimate disrespect,
and it's, yeah. And... you know, you—you can't control everything, you know? You can control
some things. You can con—you can control what you do, and what you—yo—what you say
everyday. But at the end the end of the day DaiLo, you told me your DaiLo had never had to ask
you to do anything, right? You—I remember that, because it—it, you know, because that's the
same principles--

9 **Raymond Chow:** It is true.

10 **UCE-4599:** -- that I live by. Because my family never asked me to do anything. They know
what the right thing is to do. And I gotta tell you something, that—that guy—karma is a fucking
bitch, and-and something...something...Maybe down the line. Maybe 10 years from now.
11 Maybe 15 years from now. Something's gonna happen to that guy.

12 **Raymond Chow:** Oh, I think--

13 **UCE-4599:** [OV] And not-not necessarily--

14 **Raymond Chow:** [OV]I don't think he's gonna last-- I don't think he's gonna last that [OV]
long, you know. [Laughs.]

15 **UCE-4599:** [OV] Listen, not even necessarily get hurt—

16 **UCE-4599:** -- but something's gonna happen to that guy. You know? He betrayed another
brother's wife, and got her pregnant. Right?

17 **Raymond Chow:** Mmm hmm.

18 **UCE-4599:** And then he fucking...He-he did this to you? Things are gonna happen to him,
and people are gonna see that for his true character and his true color.

19 **Raymond Chow:** Oh—

20 **UCE-4599:** Right?

21 **Raymond Chow:** --You know what?

22 **UCE-4599:** Yeah.

23 **Raymond Chow:** People, a lot of people they don't...They don't want me getting involved
with it, and... I don't want to get involved with it, but you know, sometimes, you know, and I
just you know...Just cannot you know, [OV] stand on the people.

24 **UCE-4599:** [OV] Right. No. No.

25 **UCE-4599:** Listen.

26 **Raymond Chow:** Oh, you know what? I mean—I—this guy, you know, just a—you know
what? I don't—I don't even think about him, you know lately. You know, lately...

27 [01:50:00]

28 **UCE-4599:** Right.

Raymond Chow: 'Cause when I first heard it, I was kind of like—it bothered me a little bit.

UCE-4599: Right.

Raymond Chow: And... in time, you know, so I—knowing what they're doing.

UCE-4599: Yeah.

Raymond Chow: It doesn't bother me [OV] anymore--

1 **UCE-4599:** [OV] Right.

Raymond Chow: --You know?

2 **Raymond Chow:** So I just see what they wha-what he trying to do, you know. And the thing
3 is, you know, he-he try to pump up a lot of kid, you know, to-to try cha-challenge me.

UCE-4599: Yeah.

4 **Raymond Chow:** You know what the best part is? The worst part is you know—the police
they involved in this.

5 **UCE-4599:** Mmm hmmm.

Raymond Chow: That's the worst part, you know.

6 **UCE-4599:** And that's bullshit. Because that, you—you know. You take care of your own
7 business, okay? If you gotta get the police involved, you're a pussy. You are a... not only are
you—you're a rat fink pussy, and-and that-[OV] that's what you are.

8 **Raymond Chow:** [OV] You know what?

UCE-4599: You have no character, you have no--

9 **Raymond Chow:** In-in[OV] those things,

UCE-4599: [OV] Yeah.

10 **UCE-4599:** Ua huh

11 **Raymond Chow:** You know you know, like uh, Mike.

UCE-4599: Yeah.

12 **Raymond Chow:** [OV] Did you meet Michael?

UCE-4599: [OV] Yeah. Yeah.

13 **Raymond Chow:** He want to get into it, and I said no. You know, he's just—he's your kind
14 of kid [OV] right.

UCE-4599: [OV] Right. Yeah-yeah. Yeah.

15 **Raymond Chow:** Just really—he's really loyal kid. [OV] You know.

UCE-4599: [OV] Right.

16 **UCE-4599:** Right.

17 Later they met with Andy Li. UCE 4599 told Li that he was worried about CHOW's problems at
18 the HST. Li stated he was coming back to San Francisco from LA to take care of CHOW's problems
19 with Kong. Li stated he knows Kong and his associates. Li said "Jim doesn't know I am still with
20 [CHOW]."

21 **Andy Li:** I try and tell Ray, you need to be careful, man. You know.

22 **UCE-4599:** If you come back you gotta start workin', bro. You know? What-When do you
23 think you'll be back?

Andy Li: End of the year.

24 [Pause];[00:17:05 – 00:17:08]

UCE-4599: [OV] End of the year?

25 **Andy Li:** [OV] I was—

26 **Andy Li:** --I was with him [CHOW] when I was younger.

UCE-4599: He told me.

27 **Andy Li:** Oh he told you that, yeah.

UCE-4599: He told me.

28 **Andy Li:** Long time ago.

1 UCE-4599: Yeah. Yeah. He spoke very highly of you, man.
 2 Andy Li: Well thank you.
 3 UCE-4599: He did [INDISCERNIBLE 00:17:22].
 4 Andy Li: [OV] Yeah. Thank you.
 5 UCE-4599: [OV] Don't thank me, but—
 6 UCE-4599: He...You know. No, thank yourself, that's who you are, you know? So.
 7 Andy Li: I just wish I nev-[Indiscernible 00:17:30] It was a great—it was an ex-experience,
 8 but I met good people. And there's a lot of bad people. I mean, that sh-that shit...
 9 UCE-4599: Like [Indiscernible 00:17:42]?
 10 Andy Li: Yeah, it was—it was...There was a lot of assholes in there, right?
 11 UM: Like extra long [Indiscernible 00:17:45]
 12 Andy Li: [OV] Leeches.
 13 UCE-4599: [OV][INDISCERNIBLE 00:17:48].
 14 Andy Li: [OV] There's a lot of leeches.
 15 UCE-4599: [OV] [INDISCERNIBLE 00:17:48]. Yeah.
 16 UCE-4599: I worry about the Dai Lo now, because you know, he tells me he's got some
 17 headaches, over with the HST, it's those fuckin' dudes, man, you know I--
 18 Andy Li: Yeah, I know who they are.
 19 UCE-4599: Yeah. I know. [INDISCERNIBLE 00:18:00]. I've been around for a while with
 20 this guy—
 21 Andy Li: That's the only reason why I will come back.
 22 UCE-4599: You're gonna come back?
 23 Andy Li: I'm gonna take care of that.
 24 UCE-4599: You gonna take care of business? The guy I-I-I told—
 25 Andy Li: I know him, that's the super [Indiscernible 00:18:06].
 26 UCE-4599: Yeah, I told, I told him and I told George, I said "look, DaiLo, is never gonna get
 27 his hands dirty, alright, but you know what? I...One thing that he always told me that resonated
 28 with me and then always resonated with my family, he said, "My d—". He said "Dave, my
 DaiLo , never ever had to ask him to do anything."
 [Pause];[00:18:28 – 00:18:29]
 UCE-4599: And-and you know what? Whatever happens to that mother fucker—I don't
 know, his name, Jim someone?
 Andy Li: Jimmy [Indiscernible 00:18:35].
 UCE-4599: Whatever happens to him? It's karma. He's got it comin' to him.
 Andy Li: Yeah. That was the thing [INDISCERNIBLE 00:18:41]--
 UCE-4599: So...Nobody—the DaiLo is never gonna ask anybody to do anything—
 Andy Li: I know that.
 UCE-4599: You just gotta fuckin' do it, you know? [Indiscernible 00:18:50].
 Andy Li: Jim...Jim doesn't know I'm still with him.
 UCE-4599: Right.
 Andy Li: I know him. Like you [Indiscernible 00:18:55]. He respects me.
 UCE-4599: Yeah.
 Andy Li: He-he-he like you.
 UCE-4599: Right.
 Andy Li: Respect that.
 UCE-4599: But you know what—
 Andy Li: Time has changed.
 UCE-4599: Yeah.

1 **Andy Li:** I'm—

2 **UCE04599:** Yeah.

3 **Andy Li:** -- forty eight. I don't know how old that guy is-is

4 **UCE-4599:** Yeah.

5 **UCE-4599:** Yeah.

6 **Andy Li:** I told Ray, I said, I think this is like

7 **UCE-4599:** [Indiscernible 00:19:11]. Yeah.

8 **Andy Li:** Where's that?

9 [Pause];[00:19:13-00:19:14]

10 **UCE-4599:** Huh?

11 **Andy Li:** Where is that? [Indiscernible 00:19:14]

12 **UCE-4599:** Oh, nothing.

13 [Pause];[00:19:16-00:19:19]

14 **Andy Li:** We're speakin' Italian!

15 [Laughter]

16 **Andy Li:** Don't listen to him.

17 **UCE-4599:** Don't listen to him.

18 **Raymond Chow:** He's just a trouble-maker, too. [OV] [INDISCERNIBLE 00:19:28]

19 **UCE-4599:** [OV] DaiLo!

20 **UCE-4599:** Where you been DaiLo?

21 CHOW joined a conversation with Li and UCE 4599 and Li told CHOW he had a new idea to
22 handle Kong. Li stated he would pretend that he didn't like CHOW any longer and try to get close to
23 Kong. CHOW laughed and told them they were nothing but trouble. Li reiterated that he would move
24 back to San Francisco and pretend CHOW was his enemy and "get rid of all the bugs." CHOW told Li
25 to stay out of trouble and then toasted Li. CHOW said Li was looking for an excuse to get into trouble.
26 Li said he was looking to fuck someone up and get rid of the bugs. CHOW told Li that he didn't need
27 that.

28 **Raymond Chow:** Oh no, I'm gonna sign--finish my contract, everything, you know? And
I'll start working -- when I start working out -- but I injured my elbow, [OV] as soon-as soon as
I...

ANDY LI: [OV] When I come back, you work out with me. Oh wait, you can't, you're my
enemy when I come back. . [Laughter] I have a plan.

UCE-4599: You have a what?

ANDY LI: I have a plan.

UCE-4599: Alright.

ANDY LI: When I move back, he's my enemy.

UCE-4599: Oh cool.

ANDY LI: Yeah, no really. Everybody say no, he's my enemy.

[00:40:00]

UCE-4599: He is. He's my enemy too, but I love him. [Laughter]. Now you don't have to

1 take [OV][INDISCERNIBLE 00:40:01]

F2: [OV] You were yelling.

2 **ANDY LI:** [INDISCERNIBLE 00:40:02] Should get [OV] rid of the bugs.
[Glasses clink]

3 **UM4:** [Indiscernible 00:40:08] stay out of trouble, man.

4 **UCE-4599:** We all do –

UM4: Stay out of trouble.

5 **UCE-4599:** We all do. You stay out of trouble. We'll take care of our own business.
[Pause];[00:40:14 – 00:40:23] [Loud dance music.]

6 **Raymond Chow:** I don't mind.

7 **WAITRESS:** [Indiscernible 00:40:27]

UCE-4599: It's all right, you want another Corona?

8 **WAITRESS:** You want more [Indiscernible 00:40:28].

UCE-4599: I'm good right now, yeah.

9 **ANDY LI:** I'll take one more.

WAITRESS: Vodka tonic?

10 **ANDY LI:** Thank you.

11 **UCE-4599:** DaiLo, you want something—

ANDY LI: You know I've been—I've be—I've been drinking a lot tonight.

12 **UCE-4599:** Really?

ANDY LI: You actually stand, I cannot stand Middle Eastern.

13 **UCE-4599:** You can't stand what?

ANDY LI: Middle Eastern, Middle Eastern fucker.

14 **UCE-4599:** Oh you fucker, Euro-trash, man. Euro-trash.

15 **ANDY LI:** They were..[INAUDIBLE 00:40:52] I'm not racist, but it's like [INAUDIBLE
00:40:55]—

16 **UCE-4599:** Nah, I'm gonna tell you something, I am racist, so—

ANDY LI: Great. [Laughs]

17 **UCE-4599:** I'm—I'm—I mean—no, I am! I don't give a fuck, I'll tell you right now. I'm
18 telling you right now, I am. So, you don't have to be politically correct with me, I fuckin' hate
19 people. I-I always say to Raymond, what'd I tell you tonight, "Until I like you, I don't like you".
Yeah, that's it. Until you show me your true side.

ANDY LI: Yeah. The way you are, right, yeah.

20 **UCE-4599:** It's okay. But you know what, the thing is, it's no great fuckin'...It's no great
honor to be liked by me, so it doesn't matter.

21 **ANDY LI:** No, no, it is!

22 **UCE-4599:** No, it isn't, no. Until I like you, I don't like you, bro. 'Cause I trust from my
heart, you know?

23 **Raymond Chow:** [OV][SC]Stay out of trouble

ANDY LI: [OV]People like you is harder to find.

24 **UCE-4599:** Well people like you guys are hard to find.

ANDY LI: That's why people like us can connect better.

25 **UCE-4599:** Right.

ANDY LI: We understand.

[Music Playing][Pause];[00:41:44 – 00:41:51]

27 **Raymond Chow:** Oh, he's been looking for an excuse to get in trouble

ANDY LI: Huh?

28 **Raymond Chow:** You're looking for excuse to get in trouble

1 **ANDY LI:** I'm looking for an excuse to fuck some idiot up. Bugs, gotta get rid of the bugs.

2 **UCE-4599:** They're pretty annoying bugs.

3 **Raymond Chow:** No, not . . .

4 **ANDY LI:** You know how you eat, and like these flies fly around? The flies flying around, [Indiscernible 00:42:16] turn around you gotta smack one of 'em.

5 **Raymond Chow:** No, I don't need that.

6 **UCE-4599:** Not that you need it. Not that you need it. This is what it is. [Pause] I'm gonna say hello to Joe.

7 On February 16, 2012, UCE 4599 asked how CHOW was handling his problems with Kong.

8 CHOW said the streets have their own way of justice and sometimes people don't understand that.

9 CHOW believed someone would let Kong know that he was wrong, that CHOW didn't have to do
10 anything; it would take care of itself.

11 **UCE 4599:** How is that—how is that—the Jim guy, that headache, that you always—how's
12 that handle—how's that going? Is he—is he, you know? I know he's not even your league, but
13 you know?

14 **RAYMOND:** In the street they have their own justice, Okay?

15 **UCE 4599:** Of course.

16 **RAYMOND:** A lot of people doesn't see that.

17 **UCE 4599:** Well. [Laughs.]

18 **RAYMOND:** See, the thing—that they-- when I on sole father [PH] [02:06:55], I'm effected
19 [PH] [02:06:57], to me, you take the road to-- to the offense, I probably lose my ass.

20 **UCE 4599:** Of course.

21 **RAYMOND:** Or I have him just sit there, let him attack me.

22 **UCE 4599:** Of course.

23 **RAYMOND:** You know what? Someone will let him know.

24 **UCE 4599:** Karma.

25 **RAYMOND:** You are wrong.

26 **UCE 4599:** Karma is a bitch.

27 **RAYMOND:** You know what? I don't have to speak and say the words.

28 **UCE 4599:** You don't have to.

RAYMOND: [INDISCERNIBLE] [02:07:20]

UCE 4599: You know, listen. Yeah.

RAYMOND: See the thing is, a lot of people doesn't see that.

UCE 4599: No-no-no, but like you said, you know, your Big Brother never ever had to ask
you to do anything. Ever.

RAYMOND: I think that's why, you know, that's why--

UCE 4599: Ever. And nor should they ever have to.

RAYMOND: You know what, in my younger age, one thing everybody know—everybody
know, I already beat my share [PH] [02:07:43]

UCE 4599: Of course.

RAYMOND: I take care of the people—when I could.

UCE 4599: Yeah.

RAYMOND: And... even the people in the prison.

1 **UCE 4599:** Yeah.

2 **RAYMOND:** Even like today, you know, people call me--

3 **UCE 4599:** Right.

4 **RAYMOND:** Hey [INDISCERNIBLE] [02:07:54]

5 **UCE 4599:** Yeah.

6 **RAYMOND:** You know what? I'm [INDISCERNIBLE] [02:07:58]

7 **UCE 4599:** Yeah. Of course.

8 **GEORGE:** Where is he now?

9 **UNKNOWN MALE:** [Translated]. Downstairs, by downstairs. He has a [INDISCERNIBLE
02:08:04]. Downstairs, on your right hand side.

10 **UCE 4599:** Alright.

11 **RAYMOND:** You know, a lot of people doesn't realize that, you know? And... you... from the
past I'm so deep in the game.

12 **UCE 4599:** Right.

13 **RAYMOND:** Like a un—like a underwater stream. Well, now, I'm playing any kind of game
or involved with any illegal business--

14 **UCE 4599:** Right.

15 **RAYMOND:** I become stronger than ever.

16 **UCE 4599:** Of course!

17 **RAYMOND:** You know what? So I have no conflicts of interest with nobody.

18 **UCE 4599:** No you don't. But like you said to me—you know of what's going on.
And you mediate, and you make sure that nobody gets hurt, and the people that... the people that
have... uh... how will I say this, the people that—the people get their fair sh—you know what
I'm saying? Their fair... share.

19 **RAYMOND:** Put it this way, I enjoy people who are successful.

20 **UCE 4599:** Of course.

21 On April 20, 2012, CHOW expressed anger at Kong and said in the old days he would have
22 "straight checked him. I'm going to fuck you right now." CHOW said he will be waiting when Kong
23 goes to jail.

24 On July 6, 2012, Nieh told UCE 4599 that Kong had moved to LA because he feared for his life.

25 On September 19, 2012, CHOW discussed that Kong was "out." CHOW stated that people
26 would have to choose between CHOW or Kong.

27 On December 12, 2012, CHOW described that Kong was "done."

28 **UCE 4599:** Well, you know, that's what Happy [a dog CHOW disciplined] needed. Happy
needed that. Some people need that too, right? Like that Jim guy.

RAYMOND CHOW: Oh, he's done.

UCE 4599: Done?

RAYMOND CHOW: When, when I announce that he's no longer my brother, my friend. What
he did. Allen, actually, in the whole thing, Allen Leung, you know, the incident, he had a lot to
do with it.

1 **UCE 4599:** You think he had a lot to do with it? We're good, yeah, thank you. Yeah.

2 **RAYMOND CHOW:** I don't think, I know.

3 **UCE 4599:** You know?

4 **RAYMOND CHOW:** Yeah, that's why I know, he, he so much, you know, focus on me, he knew I knew.

5 **UCE 4599:** So he wants to pass on bad energy for you. Yeah. He wants to pass on bad energy for you.

6 **RAYMOND CHOW:** After, after . . . in the last three weeks, [INDISCERNIBLE] there's a chapter

7 **UCE 4599:** I'm sorry, say again?

8 **RAYMOND CHOW:** I'm writing a chapter about Jim.

9 **UCE 4599:** Oh, really? Fuck him. Yeah.

10 **RAYMOND CHOW:** See, [INDISCERNIBLE] time can tell the history. When the time passing on, all the truth will come out. Only one thing, you know, I don't want to get involved with any investigation, to try to get me [INDISCERNIBLE]. When they come to me, my knowledge, you know, fine . . .

11 **UCE 4599:** Right. When people come to you and tell you.

12 **RAYMOND CHOW:** But I'm not going to look for it. It is what it is.

13 **UCE 4599:** No. Of course.

14 **RAYMOND CHOW:** If I look for it, probably I find everything out within about 90 days.

15 Later in the evening, CHOW discussed Kong with UCE 4599 again.

16 **RAYMOND CHOW:** You know what? I don't, I don't see Jim and whatever their crew in the, in the same level as the knowledge, wisdom, experience as I do.

17 **UCE 4599:** No, no, no, no, no.

18 **RAYMOND CHOW:** And especially on the street, you know, I don't have no conflict of interest, you know. That's why they going to become the loser.

19 **UCE 4599:** Of course.

20 **RAYMOND CHOW:** When I, when I give the final . . . when I say the final word, you know, to this guy . . . the destiny, on the street, they have their own nature, just like Rick Ross doesn't recognize that nature. I do. When you recognize that nature, it becomes your force. When I'm saying this guy is not my friend, I don't have no longer dealing with him, the nature take care of them selves.

21 On February 13, 2013, UCE 4599 discussed Kong with Li again. Li stated that Kong had guys
22 following him because he was recruiting them. Li discussed that CHOW has respect because he still had
23 a lot of people and said "he's not going to show it like he did before . . . if he needs somebody, he will
24 get it." Li stated CHOW asked Li to move back to San Francisco, and said that Chanthavong also called
25 Li to get him to come back to San Francisco because of "this guy Jimmy." Li said that he thought "I
26 know that idiot [Jimmy], man" and that Li could just come back up and "smash" Jimmy. Li and UCE
27 4599 discussed that Kong had relocated to Los Angeles.
28

On July 18, 2013, UCE 4599 discussed the Kong situation with defendant Pau during a cigarette transaction in New York. Referring to Kong, Pau stated that you don't threaten CHOW.

UCE-4599: Jimmy?

James Pau: No, Jimmy didn't make it up there, that high.

UCE-4599: Okay.

James Pau: He just, poof, old man—

UCE-4599: Okay.

James Pau: and push, over the old man, the whole thing. Raymond don't like it so Raymond got him kicked out Hop Sing.

UCE-4599: Oh, okay.

James Pau: Before he joined the Dai Lo.

UCE-4599: Oh, okay. All right.

James Pau: You don't—you don't threaten the old man [CHOW].

UCE-4599: No, you don't. No, you don't threaten him, yeah.

James Pau: You could threaten outsider but you don't threaten yourself.

On September 10, 2013, UCE 4599 and defendant Nieh discussed that Li and CHOW had a falling out after a fight in a karaoke bar. Nieh stated that CHOW cut Li off after the fight.

UCE-4599: No shit, dude. That must be some old bad blood, bro.

George Nieh: And also they're being stupid, yeah.

UCE-4599: No shit. So what the -- so, I mean, did he hurt the old man or did he hit him? Did he --

George Nieh: I think the old man couple bruises.

UCE-4599: No kidding, dude.

George Nieh: Yeah.

UCE-4599: I got to tell you, I'm fucking shocked cause, I mean, I know Andy's got a little bit of a temper, but I didn't, you know, I would never expect him to fucking --

George Nieh: I mean, he's got temper or no temper it's cool, but you got to come down and think, you know.

UCE-4599: Plus that's your fucking -- that's your Dai Lo, man. That's guy's, you know.

George Nieh: Exactly. I mean, he don't respect -- I mean, there's no respect. And if there's no respect the next time I see you I'm going to pop your ass that's it.

UCE-4599: Right.

George Nieh: Yeah, that's what the old man said. Next time I seen him I'm gonna fucking fight with him -- pop him.

UCE-4599: Yeah.

George Nieh: Yeah. I said okay.

UCE-4599: Well just, you know -- hopefully they can --

George Nieh: I know concern you but --

UCE-4599: Yeah, no, no. But, no, but -- yeah.

George Nieh: I can't tell you what to do.

UCE-4599: I mean, business is business but, yeah.

George Nieh: Yeah.

UCE-4599: But still, man, I -- you know, that seems like that's old school stuff, man.

George Nieh: Yeah it is.

UCE-4599: Hopefully they can work that out though.

1 **George Nieh:** Yeah, we're talking about respect, man.

2 **UCE-4599:** Yeah.

3 **George Nieh:** I mean, you don't use --

4 **UCE-4599:** No, you don't -- no, not your elders, man.

5 **George Nieh:** Yeah.

6 **UCE-4599:** I get it, bro. I'm very big into that, bro -- not your elders, dude, you know. Wow. I'm fucking shocked, bro.

7 **George Nieh:** I mean, it's not like he was yelling at him and he was being tough and shit. I mean --

8 **UCE-4599:** Yeah.

9 **George Nieh:** You know, man, I mean, you don't fight your buddies, okay.

10 **UCE-4599:** No, man. Bro, he's fucking 54 years old, bro. He -- listen, you can't, you know -

11 **George Nieh:** Yeah.

12 **UCE-4599:** Holy shit. Was is it like a cheap shot or did they, were they like --

13 **George Nieh:** See, I don't know what actually happened, but I think he -- I think Andy tried to throw a couple punches. And then --

14 **UCE-4599:** And nobody broke it up, like Joe didn't break it up or anything?

15 **George Nieh:** I think Joe didn't do a good job breaking it up.

16 **UCE-4599:** Mmm. So like when you say he's -- they're not going to make up, they're not going to -- you know, cause they're -- you talking --

17 **George Nieh:** Oh, no, on. There's old man -- cause, I mean, dude, I mean, Andy and Joe called old man and apologized but old man said, no, forget it. I don't even want to talk to them.

18 **UCE-4599:** You got to understand, man --

19 **George Nieh:** Yeah.

20 **UCE-4599:** -- like the old man could fucking put the green light on his fucking ass, bro.

21 **George Nieh:** Yeah, yeah, exactly.

22 **UCE-4599:** You know what I'm saying?

23 **George Nieh:** I think they just -- I think just worry about that later on.

24 **UCE-4599:** Holy shit. Well, Jesus Christ, man, that kind of clouds up the situation a little bit but --

25 **George Nieh:** See, old man hates brother fighting brothers, man. That's --

26 **UCE-4599:** No, of course. He -- he's never been about that.

27 **George Nieh:** Yeah.

28 **UCE-4599:** He's never been about that, you know. He's never been about that.

George Nieh: Looks like over here, lights.

UCE-4599: And Joe was like his body -- fucking personal security, right?

George Nieh: Yes.

UCE-4599: And then -- and then Andy was like kind of like enforcer, right?

George Nieh: Yeah.

UCE-4599: Jesus Christ, man. This place is fucking packed. It's --

George Nieh: [INDISCERNIBLE 00:24:16] a whistle blow a little bit?

UCE-4599: Yeah, I don't think they hear, right?

George Nieh: Yeah.

UCE-4599: Do you think he's here or no?

George Nieh: I don't think so. I don't see his car.

UCE-4599: George, that's some serious shit, bro.

George Nieh: Yeah, stupid fighting shit.

1 UCE-4599: I guess so. So the old man's just done with him, right?

George Nieh: Yeah.

2 UCE-4599: Let me ask you a question. Does he got to go, bro, or no? Is he -- you think --

3 George Nieh: The old man's still --

UCE-4599: Contemplating?

4 George Nieh: Yeah.

UCE-4599: So he doesn't know if he's going to get -- green light him yet?

5 George Nieh: No.

6 UCE-4599: That's a big thing, bro. You got to understand, that's like -- in my family that would be a very big thing.

7 George Nieh: Yeah, I mean, every family --

UCE-4599: Yeah.

8 George Nieh: -- I think.

9 UCE-4599: Yeah. That'd be a very big thing, bro. Well, dude, just give me a heads-up because I don't want to be anywhere near that fucking shit. You know what I'm saying?

10 George Nieh: Yeah.

UCE-4599: You know, tell me cause I'll steer fucking clear.

11 George Nieh: Just don't do too much business. What are you -- I mean, he's not doing much anyway, I mean, yeah.

12 UCE-4599: Yeah, it's just with Al and Andy and whatever it is, just the money stuff.

George Nieh: Yeah.

13 UCE-4599: But I don't even see Andy though, like I see Al, really. You know, I know that's part of Andy's crew, you know.

14 George Nieh: Yeah.

15 UCE-4599: I don't know. It's all -- take it they're all together.

George Nieh: And -- oh, all of them, every one of them.

16 UCE-4599: They're all together? Yeah, it's Joe, Andy and Al. I mean, I know that. Let me call. Wow. That's a fucking shame, dude, you know.

17 George Nieh: It is a shame.

18 UCE-4599: Because they go back a really long way, bro, you know. I mean, they were in the fucking -- they were in the can, you know. They, you know, they went through that whole fucking case together, right? Andy just must have some fucking pent up, you know --

19 George Nieh: No, he's -- he's just -- he's fucking stupid.

20 UCE-4599: Yeah.

George Nieh: [INDISCERNIBLE 00:26:58] all bad and shit.

21 UCE-4599: Right. Let me ask you a question. Are you -- I mean, if he came back to the old man, like on his hands and knees just like -- what, do you think the old man would forgive him or -- no? He's done?

22 George Nieh: Yeah, he's done.

23 UCE-4599: How do you -- I mean, cause Andy's, right, he's part of the Ghee Kung Tong but he's also HST. So how do you get him out? Like you just --

24 George Nieh: Well, I mean, it was announcing last week, you know, we had a meeting.

25 UCE-4599: Oh, he announced it?

26 George Nieh: Yeah.

UCE-4599: He said he's done?

27 George Nieh: Yeah, he -- Andy and Joe is no longer with us anymore.

28 UCE-4599: Okay.

George Nieh: Yeah.

1 **UCE-4599:** Wow. But they ain't going to make a move on him, right?

2 **George Nieh:** Well, not Joe, but I don't know about Andy.

3 **UCE-4599:** Dude, I don't think Andy would ever do that, man.

4 **George Nieh:** But you got to be prepared.

5 **UCE-4599:** Yeah, you do.

6 **George Nieh:** I mean, Andy may look tough but he's a real chicken shit.

7 **UCE-4599:** Wow. Wow.

8 **George Nieh:** That's why he always act tough. You know --

9 **UCE-4599:** Yeah.

10 **George Nieh:** -- talks tough, talks, doesn't fight.

11 On September 26, 2013, UCE 4599 and defendant Nieh discussed CHOW's conflict with
12 defendant Li after CHOW and Li fought at a bar. Nieh stated that people were afraid of CHOW because
13 he would surprise people. Nieh stated "If [CHOW] wanted to take you out, he would take you out."

14 On October 17, 2013, Kong was found with his girlfriend, Cindy Chen. Both were murdered.
15 Further details regarding the murder scene and the investigation are being filed under seal to preserve
16 the investigation and details that would be known to the participants and the witnesses.

17 On October 30, 2013, approximately two weeks after Kong was murdered, UCE 4599 met with
18 CHOW. CHOW informed UCE 4599 that Kong had been murdered.

19 **RAYMOND CHOW:** You know what happened [to Jim]? They found him and his wife about
20 they tie him up and throw him in the ocean. And another thing people they say they find them in
21 a car

22 **UCE 4599:** He's dead?

23 **RC:** Yeah.

24 **UCE 4599:** Are you kidding me?

25 **RC:** No. They say it's a secret but everybody know in Chinatown [laughs]. They say, oh it's
26 under investigation, it's a secret, but everybody knows.

27 **UCE 4599 :** you said that he was in the hustle, he was, he was doing bad things and yeah. You
28 said he was using your name.

RC: Yeah. When I cut him out, he cannot use my name no more, and the people out there
knowing, they're serious, he not my brother, he not my friend. That's what happened.

UCE 4599: he didn't get the protection he needed. Holy fuck. You know what, he made that
decision in his life, right?

RC: See the thing, the thing, the thing is . . . and, when, a couple weeks ago when they called me
up and they come to tell me. Everyone say it's a secret, but everybody knows [laughs].

UCE 4599: is this recent?

RC: yeah, I think about two weeks ago.

UCE 4599: Holy shit.

RC: Ten, ten people come to mention it to me and not even one say anything good about this
guy, not even one.

UCE 4599: Dai Lo, you, I know, if I can recall our conversations we had, he was a bad guy, he
was a fucking bad guy.

1 **RC:** I'm guessing, I'm really patient, for all this time, you know dealing with it, dealing with it
2 the right way. Back in the old day, yeah I would have done something to this guy, but you know,
I can see that, you know, somebody will do something to him, I don't even tripping.

3 **UCE 4599:** yeah, that's the path he chose, right?

4 **RC:** When I heard about it, "Wow, that was really cool, he fucked up, you know, he had that
coming, he had that coming." [Laughs]. Then I about it, wait a minute, you know, what's wrong
5 with this guy, he got his wife involved with it, his family [UI]. I come down to Chinatown, I
come down to Chinatown, I know at least four, five guys, four, five guys, and not even one say
anything good about him.

6 UCE 4599 asked CHOW if the police had talked to CHOW about it. CHOW stated that there
7 were so many suspects that the investigation was "fucked up." CHOW suspected that it was a
8 Vietnamese group that killed Kong. CHOW stated "[t]here are a lot of people loyal to my friendship.
9 Definitely, I got to have somebody take my revenge."

10 The investigation took steps to minimize the threat to Kong by, among other steps, approaching
11 Kong directly to inform him that source information revealed a threat to murder Kong, that Kong should
12 get out of the area, and to take appropriate precautions. In addition, UCE 4599 was active in
13 questioning CHOW, the other defendants, and other associates to gauge whether or not there would be
14 action to carry out the threat to Kong. UCE 4599 attempted to determine if there was any actionable
15 intelligence such that arrests would be made before any harm came to Kong. While CHOW's associates
16 discussed that something would happen to Kong, none admitted directly to UCE 4599 that they were
17 planning to act promptly against Kong with the possible exception of defendant Andy Li. The
18 government also took steps to discourage Li from taking any action against Kong.
19

20 Now that defendant Li is cooperating, he would testify to the following. Defendant Li started
21 working with CHOW in the early 1990s and, among other crimes, participated in committing arson of a
22 stash house for CHOW. The arson went bad and left Li with bad burns over half of his body, including
23 his face. Li also spent time in prison with CHOW, where they both also met Chanthavong. Li and
24 CHOW also both cooperated with the government during the trial of Peter Chong and both testified
25 against Chong. Among the crimes that they testified about in that trial, CHOW had previously entrusted
26 Li with hiring hit men to perform a murder. Li hired two individuals to commit a murder in the
27
28

1 Northeast at the request of CHOW, although the murder was not carried out and the two intended
2 gunmen also cooperated with the government. Based on that prior relationship, CHOW knew that Li
3 could be relied upon to arrange a hit.

4 During the investigation, CHOW traveled to Los Angeles to visit with the co-author of CHOW's
5 book. While in Los Angeles, CHOW would contact Li to socialize and to ask Li to drive CHOW from
6 place to place. Li agreed to meeting with CHOW and driving CHOW as Li still considered CHOW to
7 be his Dai Lo. While CHOW was in Los Angeles, Li drove and picked CHOW up from CHOW's hotel
8 near the airport. Li drove CHOW to the residence of CHOW's co-author on CHOW's book. During the
9 drive, CHOW described that he had a falling out with Kong. CHOW requested that Li find someone to
10 kill Kong. At that time, Li agreed that he would kill Jim Tat Kong for CHOW and intended to carry it
11 out.
12

13 Following that discussion, Li moved back to San Francisco from Los Angeles and was one of
14 many participants in the conversations with UCE 4599 about how CHOW wanted Kong dead and that
15 Kong would be killed as a result of CHOW removing his protection from Kong. According to Li,
16 several months later, he went back to CHOW to ask when and how CHOW wanted Kong killed. Li said
17 that, at that point, CHOW told Li not to worry about it any longer and that "it was handled."
18

19 As described above, in September of 2013, Li and CHOW had a falling out. While at a karaoke
20 bar with Chanthavong and others, Li and CHOW became very intoxicated. Li expressed anger that
21 CHOW had never paid Li for the arson in the early 90s and that CHOW had not properly shown respect
22 for Li's loyalty in the past. Li and CHOW left the bar to go outside to fight. According to
23 Chanthavong, during the argument between Li and CHOW, CHOW stated that Li had also disappointed
24 him because Li was "supposed to take care of Jimmy for me." CHOW and Li fought and Li beat
25 CHOW down.
26
27
28

1 After the fight, CHOW distanced himself from both Li and Chanthavong – Li because he had
2 beat CHOW up and Chanthavong because he had not stood up for CHOW or protected CHOW from Li.
3 While this fight could have been the staged fight that Li had described to UCE 4599 to get close to
4 Kong, there is no indication that it was staged. In fact, CHOW, Chanthavong, Li, and Nieh each
5 described a very real fight and falling out afterwards. In addition, there is no indication from Kong’s
6 associates that Li ever approached Kong or tried to affiliate with Kong after the fight with CHOW.
7

8 Again, this evidence is core proof of the nature of the enterprise run by CHOW. This was not a
9 typical social organization dedicated to improving the community only. This was a criminal enterprise
10 that involved itself in violence when CHOW deemed violence to be necessary. The evidence regarding
11 the solicitation to murder Kong and the “green light” on Kong is obviously highly relevant to the nature
12 of the enterprise and CHOW’s role in the enterprise. It explains the very reason for bringing defendant
13 Li back into the fold. Again, this evidence fits squarely within the currently charged Count One RICO
14 Conspiracy, which expressly states that the purposes of the enterprise included “[p]reserving and
15 protecting the power, territory, reputation, and profits of the enterprise, its members, and associates,
16 through the use of security, intimidation, violence, threats of violence, and assaults” [*see*, Second
17 Superseding Indictment, Count One, ¶ 8(a)]; “organizing and carrying out shows of strength and
18 intimidation, assaults, and other violence when perceived as necessary for the good of the enterprise and
19 members and associates of the enterprise” [*id.* at ¶ 8(b)]. Further, the means and methods of the
20 enterprise are described in the indictment as including: “Members and Associates of CKT protected and
21 expanded the enterprise’s criminal operation by committing, attempting, and threatening to commit
22 violence, including assaults, intimidation, and threats of violence directed against those who would act
23 against CKT and its members and associates” [*id.* at ¶ 9(a)]; and “[m]embers of CKT promoted a
24 climate of fear through intimidation, violence, and threats of violence intended to promote the authority
25 of the enterprise and its members and associates and insulate its members and associates from
26
27
28

prosecution for the criminal actions of the enterprise.” [Id. at ¶ 9(b).] Also see, Second Superseding Indictment at ¶¶ 11, 12.

Relationship to the Chee Kung Tong/Hop Sing Tong

The murder of Leung was based upon CHOW’s desire both to profit from the Tongs and to assert control over the Tongs. That evidence will come from Chanthavong, from Individual C, from other cooperators, from those who were aware of CHOW’s desire to profit from and control the Tongs, from Leung’s statements to associates, and from CHOW’s conduct at the funeral and taking over the Dragonhead.

The solicited murder of Kong was based upon CHOW’s displeasure with Kong related to the Tongs. That will come from Li’s testimony and from the abundant recordings of CHOW regarding his infighting with Kong over control of the Tongs and the fallout from that conflict. Chanthavong was also solicited to act against Kong but would not agree to it.

III. CONCLUSION

In light of the foregoing, the government hereby respectfully submits that the Court should deny defendant Chow’s Motions *in Limine* and allow admission of the evidence described above during trial.

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Respectfully submitted,

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